



Minutes

WATER RESOURCES ADVISORY COMMISSION

Monthly Meeting

May 05, 2016, 9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Attendee Name	Title	Status	Arrived
D. Albrey Arrington	Utility	Present	
Shelley Vana	Local Government	Present	
Douglas Bournique	Agriculture	Present	
Bob Ulevich	Alternate for Doug Bournique	Present	
Kurt Harclerode	Alternate for Pam Keyes	Present	
Mark Perry	Environmental	Present	
James Humble	Agriculture	Present	
William "Chad" Kennedy	FDEP	Present	
Barbara Miedema	Agriculture	Present	
Linda McCarthy	Alternate for Bubba Wade	Present	
Newton Cook	Public Interest	Present	
Mary Ann Martin	Public Interest	Present	
Brian L. Wheeler	Utility	Present	
Joe Capra	Business	Present	
Michael Collins	Public Interest	Present	
John Lesman	Business	Present	
Malcolm "Bubba" Wade	Agriculture	Present	
Neale Montgomery	Business	Present	
Harry Raucher	Utility	Present	
Pat Martin	Alternate for Harry Raucher	Present	
Joshua Kellam	Business	Present	
Adam Gelber	Public Interest	Present	
Jason Liechty	Alternate for Kristin Jacobs	Absent	
Mike Sweeney	Alternate for Brian Wheeler	Present	
Nancy Payton	Environmental	Present	
W. Scott Ray	FDACS / Statewide	Present	
Karson Turner	Local Government	Present	
Shannon Estenoz	US DOI / Federal	Present	
Jill Hoog	Business	Present	
James J. Moran	Chairman	Absent	
Kevin Powers	Vice-Chairman	Present	

1. Call to Order - Kevin Powers, WRAC Vice-Chairman

Mr. Powers called the meeting to order at 9:02 AM and welcomed Steve Lynch, Audubon Florida, as a new member to the Committee. Mr. Powers reminded the Committee that Water Reuse Week was May 5th-21st and congratulated Albrey Arrington, Loxahatchee River District, for being recognized as the water reuse system of the year in its size category. Mr. Powers also welcomed Martin County Commissioner Ed Fielding to the meeting.

2. WRAC Member Issues

Barron Moody introduced FWC's new Everglades Coordinator, James Erskine, who presented later in the meeting.

Chad Kennedy announced that the 32-602 rulemaking process was underway which included significant changes, including revising certain Class 3 water bodies to Class 1 treated water bodies. Also, the draft Basin Management Action Plan for Lake Okeechobee was available for review and comment. The deadline to submit comments on the Plan to the Department of Environmental Protection (DEP) was May 17.

Mark Perry stated the conditions in the estuaries had improved due to the slowing of discharges from the Lake.

Mary Ann Martin introduced Mr. Ellis Bromberg, Special Projects Director, South Florida Public Broadcasting Service, who spoke during the Public Comment. Ms. Martin stated that much was spent on spraying chemicals on the waterways and lakes and that it was time to challenge private enterprise to brainstorm on ideas regarding the use of mechanical harvesters.

Nancy Payton from SW Florida asked that the 2016 Southwest Florida Watershed Management Plan be presented at a future meeting.

Joe Capra congratulated the agricultural stakeholders on providing economic help to the community. Mr. Capra requested that a map that identified projects with project summaries and funding contributions be updated to reflect Legacy Florida funds. Mr. Capra also requested that a presentation on water quality monitoring be made at a future meeting.

Neale Montgomery asked that the District dispel the notion by advocate groups who claim the C-43 basin created water quality issues. To this, Mr. Powers responded that the District had issued "Know the Facts" communication and was monitoring the situation closely.

Kurt Harclerode echoed Mr. Powers' statement and stated that policy makers had consistently supported the USACE's plan and investment.

Bubba Wade suggested that a presentation on Florida Bay be made at a future

meeting. The presentation should include how the system originally operated and how it was currently being operated, and provide details of what the issues were along with possible solutions.

Doug Bournique discussed water farming and how other countries were looking at the science conducted by District staff.

Mark Generales asked that a follow-up meteorological presentation be made regarding a La Niña and the potential for a very dry cycle, and discussed the need to be proactive in getting facts out to the public.

James Hurley stated that every agreement in the Everglades Act regarding South Dade had been undercut over the years.

Shelley Vana acknowledged an email that was received where the facts were presented.

Barbara Miedema commended District staff and the Department of Environmental Protection (DEP) for being proactive and issuing timely, fact driven information and suggested that WRAC meetings begin with a system update, similar to the Water Conditions report presented to the Governing Board. Ms. Miedema also commended those involved in organizing the Agricultural Summit and stated the importance of agriculture to the State and local community.

Ray Scott agreed that the Agricultural Summit was a success and urged those who could not attend to visit the website (www.pbias.org) for information that was shared and presented at the Summit.

Steve Lynch introduced himself as a new member representing Audubon Florida.

Various members congratulated Loxahatchee River District on its award.

Jill Hoog commented on the conditions of Florida Bay.

Newton Cook appreciated the District's efforts in rebutting incorrect information that was dispersed by the media.

Public Comment

Ellis Bromberg, Special Projects Director for South Florida Public Broadcasting Service, provided a synopsis of "The Unseen Everglades," an eight part series scheduled to begin production this year. The series documents the Everglades origins; life of its people, animals and plants; and its development and reclamation efforts. The series will be distributed nationally on public television nationwide. Producers intend to seek the input of the Committee. Mr. Bromberg stated the production was in the fundraising phase and welcomed donations and fundraising ideas.

3. Lake Okeechobee Operations and Adaptive Protocols: Susan Gray, Bureau Chief, Applied Science and Calvin Neidrauer, Chief Engineer, Hydrology & Hydraulics Bureau, SFWMD

Dr. Susan Gray and Calvin Neidrauer provided a semi-annual update on Lake Okeechobee Operations and Adaptive Protocols. The update provided a recap of how the system had operated in the past six months and how it was expected to operate in the next six months both hydrologically and ecologically.

WRAC Member Comment

Mike Collins discussed the conditions of Florida Bay and stated the degradation was on a similar path to what had occurred in the late 1980s. Mr. Collins recalled that the response from the District, in conjunction with Everglades National Park, was to put as much fresh water as possible in Florida Bay. Mr. Collins urged the Committee to consider what could be done to improve conditions in the Bay.

In response to a question from Kurt Harclerode as to if adequate monitoring was being conducted in the estuaries, Dr. Gray stated there were other sites that monitored salinity and that water quality sampling also occurred. Additionally, Dr. Gray noted there were additional sea grass monitoring sites than what was depicted on the chart. Responding to additional questions from Mr. Harclerode, Mr. Neidrauer indicated that the correct number on USACE's releases at S-79 was 2,000 cfs, and the USACE had corrected its reporting numbers on structure discharges.

Upon question from Newton Cook regarding the movement of water out of WCA-3, Mr. Lindahl responded the State had sent a request to the USACE to continue with the deviation and that the USACE was coordinating with its South Atlantic Division as the request needed approval by its general. Mr. Lindahl further stated the District continued to coordinate and cooperate with the flowage agreements and concessionaires.

An inaudible comment was made by Mark Perry.

Public Comment

There was no Public Comment

4. Emergency High Water Actions Critical to Everglades Wildlife and Habitat Recovery: James M. Erskine, Everglades Coordinator, Florida Fish and Wildlife Conservation Commission

James Erskine introduced himself as FWC's Everglades Coordinator, a position recently created to keep the agency abreast of issues relating to Everglades restoration.

Mr. Erskine provided a briefing of FWC's responsibilities in WCAs 2-3; FWC's high water management key - a tool used when water levels reached a point where constrictions or restrictions to closures or recreational access was to be implemented; FWC's position on hydrologic requirements for the WCA 2, 3; the effects of high water to

wildlife species; FWC's emergency actions in January 2016; and, continued monitoring efforts.

WRAC Member Comment

Upon request from Newton Cook, Mr. Erskine agreed to make a similar presentation to the WRAC Recreational Issue Committee.

In response to a question from Beth Lewis regarding when the criteria was established, Mr. Erskine stated the criteria analyzed data from the past 75 years, was based on the recommendations in the 1980s Schortemeyer document, and was created into a high water management position paper in approximately 2013.

Shannon Estenoz stated the Department of Interior (DOI) supports the continuation of the deviation to the extent that it could occur, and appreciated the working relationship of its partner agencies. Ms. Estenoz also commented on the conditions in Florida Bay.

Upon questions from Mark Perry, Mr. Erskine described the coordination with USACE schedules in WCA 3A,B and wildlife management, and stated that gauge 71 in WCA 3B was not used for the closure criterion, but was used for WCA 3B specifically.

Mike Collins appreciated the support of the DOI for the emergency operation schedule and stated that putting water in northeast Shark River Slough was not a solution to the problems in Florida Bay. Mr. Collins urged DOI for continued support with Taylor Slough.

James Humble stated that deliveries were not supposed to have occurred until the projects were completed.

Mark Generales requested a historical presentation on Florida Bay based on comments made by Mr. Collins and Mr. Humble be placed on a future meeting agenda.

Chad Kennedy stated that Commissioner Bergeron was instrumental in working with private landowners to allow the emergency flow of water south. In response to Mr. Kennedy's question regarding the status of DOI's negotiation with landowners for acquisition, Ms. Estenoz stated it was the National Park Service (NPS) who were in negotiations and that the acquisitions should be completed by the end of the year.

Barron Moody restated FWC's commitment to make additional presentations where needed in order to continue this discussion.

Upon question from Jill Hoog regarding Everglades National Park's position on the water deliveries, Ms. Estenoz recapped the monies spent and efforts extended by DOI and NPS, along with partnering agencies.

Mike Collins stated that the jeopardy opinion needed to be resolved in order to move forward.

Karson Turner also requested that a historical presentation on Florida Bay be provided

at a future meeting.

Newton Cook stated that structures were needed that could handle moving 12,000 cfs of water.

Bubba Wade also requested a historical presentation on Florida Bay, what was presently happening to fix the problems, and what Florida Bay's future would look like.

Public Comment

Tom MacVicar, representing agriculture, congratulated FWC for hiring James Erskine. Mr. MacVicar stated the L-29 flowed into Shark River Slough but Shark River Slough did not flow into Florida Bay; and, the flaws in the design of the C-111 buffer system needed to be fixed so that the C-111 could be linked to Florida Bay.

Cara Kapp, National Parks Conservation Association (NPCA), stated it was good, collaborative work in enacting the emergency order which also proved that water could be sent south without detrimental impacts to South Dade. Ms. Kapp requested that a presentation regarding what was learned in the emergency operation along with the conditions of the greater system be made at a future meeting. Ms. Kapp stated the NPCA supported the continued deviation of the L-29 operations and sending water to ENP.

5. Florida Bay Minimum Flows and Levels Update - Terrie Bates, Division Director, Water Resources, SFWMD

Terrie Bates provided a briefing on the various Chapter 373 tools used for the protection of water for the environment and an overview and update on the Minimum Flow and Level (MFL) established for Florida Bay.

WRAC Member Comment

Bubba Wade questioned why the seagrasses that were affected appeared to be way west of where monitoring occurred. Ms. Bates responded that the monitoring was put in place to cover those areas associated with the Florida Bay MFL and pointed out the five creeks that were directly affected by the District's operations. Mr. Wade also asked if it was correct that Taylor Slough and not Shark River Slough was the source of fresh water flowing back into Florida Bay. To this, Ms. Bates replied that another component were the direct freshwater inputs to the bay. Mr. Wade asked that a presentation on Florida Bay operations be made at a future meeting.

Adam Gelber commented on the lack of monitoring that occurred in the shallow areas and recommended that the District also monitor Garfield Bright and the outflow from Alligator Creek.

Upon question from Barbara Miedema as to if the District's Governing Board had planned to budget or had authorized the staff to initiate efforts in the South Dade

Initiatives projects, Mr. Mitnik stated some projects had already been implemented and that the District was coordinating with the USACE to implement others.

Mike Collins stated the time to start the conversation regarding the seepage barrier should coincide with the discussion regarding the temporary pumps and that the Legislature should be given a heads up that funding would be requested. Mr. Collins also stated that what was missing was a constraints document and that staff should investigate how much water can flow to Taylor Slough.

Shannon Estenoz discussed the ENP's 40,000 acre impact zone and stated the 2015 drought exasperated Florida Bay's already weakened condition because it was dependent on localized rainfall.

Upon question from Jill Hoog, Ms. Bates stated there were surveys and data available on turtle grass.

Adam Gelber stated there was a collaborative effort occurring with the state and stakeholders regarding funding contributions and questioned if there was a trigger with other ecological systems to get water into Taylor Slough.

Bubba Wade stated that Taylor Slough was the headwaters to Florida Bay and that Shark River was not going to save the bay. Upon question from Mr. Wade as to seepage and flowage, Mr. Mitnik responded that running lake water down the L-31 North to the C-111 was not a restoration vision.

Mark Perry stated that monitoring was key to determine seagrass loss along with historical data on salinity and flow conditions.

A discussion between Shannon Estenoz and Mike Collins occurred as to whether a big picture push/pull water availability presentation should be provided at a future meeting or whether to make it a local issue presentation.

Adam Gelber remarked that 28 parts per thousand was not going to remain during a dry season but that the intensity was what needed to be managed.

Joe Capra discussed state funding from the Legacy Bill, supporting federal funding from the WRDA bill, and the local contribution of \$12.7M which should help with constraints. Mr. Capra also stated that when constraints were discussed then water storage also needed to be discussed.

Jill Hoog asked that a true historical perspective on what had occurred in ENP be discussed.

Albrey Arrington agreed with Mr. Gelber and Ms. Estenoz that triggers and a series of push/pull analyses were needed. Mr. Arrington also stated appreciation for the wise decisions being made by the District's operational staff.

Mark Generales would like a cohesive message that the general public could understand be disseminated.

Beth Lewis expressed concern that the trend in Florida water law was to use the MFLs as the standard for the protection of the water resources. Ms. Lewis stated it was important that scientists continued to develop the science so that there was a clear understanding of what should be looked at for long term sustainability.

Mark Perry agreed that triggers were needed.

Mike Collins stated that the press needed to be given better information.

Public Comment

Martha Musgrove, Florida Wildlife Federation, discussed water flow and how to get water to the middle of Florida Bay.

Martin Drew, Sierra Club, recommended that geographic elevations be examined with ground water and the natural water system.

Commissioner Ed Fielding, Martin County, stated that Florida Bay was an indicator as to how the system was doing.

WRAC Member Comment

Bubba Wade discussed the constraints of moving water through Taylor Slough to Florida Bay.

Shannon Estenoz commented on the constraints of moving water to Everglades National Park.

6. Staff Reports

There were no Staff Reports.

7. General Public Comment

Drew Martin commented on the loss of wetlands and stated the wetlands permitting process needed to be reevaluated so as to look at cumulative impacts rather than specific impacts. Mr. Martin also expressed concern for the surplus of the McMurrian property.

8. Adjourn

Mr. Powers adjourned the meeting at 12:51 PM.